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"Where the Blazed Trail Crosses the Boulevard."

Jury Obtained For Hettrick's Second Trial

Spence, Outlining Case of Prosecution, Tells of One Defiant Plumber Being Forced to Pay \$1,500

Alleges Strike Threats Says Labor Leader Threw Jobs to Chosen Firm by Forcing Others to Bid High

The second trial of John T. Hettrick, of "code of practice" fame, began yesterday with the completion of a jury in the Criminal Branch of the Supreme Court before Justice John V. McAvoy. Hettrick is now being tried on charges of violation of the Donnelly anti-trust laws, together with master plumbers and labor leaders.

Hettrick and two of his co-defendants, the labor leaders William H. Chapman and William J. Doran, were brought into court from the Tombs, where they are being held as a result of conviction in the previous trial on charges of coercion. Immediately after the selection of the jury Special Deputy Attorney General Kenneth M. Spence outlined the case for the prosecution.

There were originally fifty-two corporations and individuals named in the indictment. Forty-four of these have pleaded guilty and one has since died. Just before the noon recess yesterday it was announced that the firm of Canavan & Diegan, as a corporation, and its two heads, as individuals, Michael J. Canavan and David Diegan, had pleaded guilty.

In addition to Hettrick, Chapman and Doran, the defendants standing trial are Wells & Newton, Inc.; Charles A. Murphy and Frank J. Fee, officers of that corporation; and John L. Knight. The latter is charged with introducing Hettrick to the Master Plumbers' Association and urging its members to join the code of practice.

In his outline of the prosecution's case to the jury, Spence dwelt upon the points raised by the defense in the previous trials of Hettrick. He outlined the conditions that existed in the plumbing business before the entry of the code of practice, and declared that they were of the same nature as regards risk that faces every other business.

Coming down to the specific plumbing jobs that will be presented in the prosecution's case, he said that he would show that on three distinct occasions Hettrick raised bids of other competitors so that the firm of Wells & Newton would get the jobs. He declared that he would also show that the threat of strikes was made by the labor leaders in order to compel those firms already in the scheme to remain in line, and to force those plumbers who were not members to join the system.

He said he would prove that when an agreement was broken in the case of the garment maker building the garment, the code of practice was broken. In this case he did not mention names, and Hettrick, who had been smiling faintly as each point was driven home by Spence, suddenly sat upright and listened keenly. When the recitation was over, without the mention of names, there was a hurried consultation between him and counsel.

Agrees to Pay \$1,500

Mr. Spence said he would show that the member had been lax in his obligations and refused to abide by the decision of Hettrick on his bids. Labor leaders were sent to him, and they threatened, Mr. Spence said, that unless he came in the code again his men would be put on strike. The unnamed plumber finally went to see Hettrick, and was told, it was charged, that he would have to pay \$1,500 into the "insurance" fund. After some discussion he finally agreed to pay \$1,500, it was said.

The completed jury is as follows: John W. Radel, mechanical engineer, of 320 West 121st Street, foreman; William G. Schadel, auditor, of 137 Third Avenue; Stewart Denning, bond broker, of 27 West Thirty-sixth Street; William A. Hamilton, bank solicitor, of 699 West Fifty-eighth Street; W. Irving Daley, salesman, of 325 Amsterdam Avenue; Cornelius Berner, jeweler, of 592 West 178th Street; William J. Ohi, draughtsman, of 599 West 178th Street; Solon Schiller, insurance, of 250 West 103d Street; William B. Porter, superintendent, of 605 West 177th Street; W. R. Waddell, manufacturer, of 321 West 178th Street; Sam S. Schwartz, of 230 West 105th Street; and Adam P. Fish, of 1 West 100th Street.

Franco-American Film Promoter Is Arrested

PARIS, March 8.—Andre Himmel, reputed general manager of the Franco-American Cinematograph Corporation, who was arrested at Havre on the arrival there of the steamer La Savoie from New York, was held to-day on a charge of having misused more than 1,000,000 francs invested in the corporation by a Frenchman named Rivary. M. Rivary caused the arrest of Himmel at Havre.

Himmel, at his preliminary examination here to-day, contended that he had acted in good faith in connection with the corporation and that he would have fulfilled his promises if American associates had not defaulted on their agreements at the last moment.

Himmel in July, 1920, announced the incorporation of the Franco-American Cinematograph Corporation in Delaware. He explained that the company was formed to facilitate the exchange of films between Europe and the United States.

Zeigler Slain Without Due Reason, Jury Finds

Mrs. Orthwein's Life Was Not Menaced When She Killed Chicagoan, Is Verdict

CHICAGO, March 8.—A coroner's jury to-day recommended that Mrs. Isabella Cora Orthwein be held to the grand jury on a charge of manslaughter in connection with the killing of Herbert P. Zeigler, Western manager for a rubber company.

Mrs. Orthwein, according to the police, said she shot only after Zeigler had broken into her apartment late at night, a week ago, and struck her. The verdict of the coroner's jury declared: "We find that the deceased was in the act of putting on or taking off his overcoat at the time of receiving the fatal wound and that the life of Mrs. Orthwein was not in imminent danger."

Nurse Says Billig Kissed Mrs. Stokes

(Continued from page one)

slater and brother, Mrs. Stokes explained. Another photograph, taken in Mrs. Groeger's apartment, was shown. "Who are these children?" asked Mr. Wellman.

"They are my babies," replied Mrs. Stokes. "Mr. Billig, who is this man?" "Mr. Billig," the former nurse, said she accompanied Mrs. Stokes and children to Long Beach in the summer of 1917. They stayed at the Hotel Nassau.

"Mrs. Stokes would come in after 12 o'clock sometimes," said the witness. "Several times Mrs. Stokes was away two nights and three days."

Tracing the affairs of Mrs. Stokes back to New York, Mrs. Groeger said that in December, 1917, Mr. Stokes was suffering from influenza on the fourth floor of his home, in West Seventy-eighth Street. Mrs. Stokes occupied the third floor room, while Mr. Stokes was a guest on the third floor front.

Mrs. Stokes, said the witness, questioned the relationship between his wife and Mr. Billig, who objected to his remaining in the house, saying he should take accommodations at the Hotel Ansonia. Mrs. Stokes refused to send Mr. Billig from the house. She finally consented.

Mrs. Groeger testified that she had seen Mrs. Stokes undressing with the room of her door open, while Mr. Billig was in the next room. Mr. Stokes arose from his sick bed to object to this, whereupon the former nurse said, Mrs. Stokes remarked:

"Why, he is only my cousin." Mrs. Groeger added that Mrs. Stokes often received letters from Mr. Billig and that she had five or six photographs of him in her room, one of them inscribed, "To my only sweetheart." One of the pictures showed him in an army uniform.

Tells of Wife's Absences

In opening his case Mr. Wellman said of Mr. Stokes: "He is a busy man; up early every morning and busy until late each night; always having too much to do to spend time going around. She was a woman with two children, nurses and servants, and she spent about half of her time out of the city, at Narragansett Pier, in Kentucky, where she had a farm; in Denver, where her mother lives, or elsewhere. We do not claim that our client is perfect, but we do claim that, with his faults, he had many fine characteristics. That is admitted by the defendant in a letter written to him in which she said, 'In spite of your faults, you are a dear old thing.' There is no dispute as to the love for the children which exists on both sides, therefore the question of the custody of the children arising in this suit is a very vital issue."

Mr. Littleton said in his opening: "These charges are monstrous in their relationship and atrocious in all details. They have penetrated the home of Mrs. Miller, the mother of the defendant, a respectable home in Denver, and have set the slimy accusation of wrong-doings with the defendant's own stepson, her cousin with whom she was reared as a child and occasional visitors brought to the house by the plaintiff. To prove her guilty they have charged a number of wrong-doings on unknown dates in three states. We shall bring every person mentioned by the plaintiff to court to repudiate these charges except those persons named by them who are dead."

The trial will be continued to-day.

Bank Bandits Get \$25,000

DENVER, March 8.—Approximately \$25,000 in bonds and securities and \$100 in cash was obtained by bandits who looted 100 safety deposit vaults in the First National Bank of Strasburg, Cal., near Denver last night. The bandits escaped in a motor car.

Trials of Three Police Put Off Until Friday

Counsel for Two Accused of Slaying Boy Asserts He Is Trying to Locate an Important Witness

Bailey Case Postponed

Whitman Says Hearing of Charges Against Captain Now Would Hurt Probe

The trials of Police Captain William A. Bailey, charged with accepting an unlawful fee, and Patrolmen Robert A. O'Brien and Cornelius J. Flood, charged with the murder of James Cushing, sixteen years old, in July, 1918, were postponed yesterday by Judge Charles C. Nott Jr., until next Friday morning.

While former Governor Charles S. Whitman and Assistant District Attorney George N. Brothers were prepared to proceed with the prosecution of the murder cases, William J. Fallon, attorney for the defense, declared that he was not ready and demanded that the Bailey case be tried first. Mr. Fallon also represents Captain Bailey.

Mr. Whitman told the court that he was not prepared to go ahead with the Bailey matter, as the investigation of the Police Department was continuing and the prosecution did not intend to "betray its hand."

Two hundred policemen were on hand for service at the trials, but Mr. Whitman said that at the time the special panel was asked for, he had announced that he was not ready to continue with the Bailey case and would not be for some time.

Defense Seeks Witness

In urging another postponement of the murder trials, Mr. Fallon said that at the time of the shooting police officers arrested two men, one of whom is now in Sing Sing.

"This man could be brought from prison," Mr. Fallon asserted, "but the whereabouts of the other is unknown and we are now doing our best to locate him. Both are important witnesses for the defendants."

Mr. Fallon asserted, "Captain Bailey, as far as I am concerned, is a man of high character and I must insist that his trial proceed without any further delay."

Whitman Again Before Jury

Mr. Whitman again went before the additional grand jury yesterday, but the session was a brief one and no indictments were voted. Later he informed newspaper men that he would go before the body to-morrow afternoon at that time expected to finish up the matter with which he has been engaged. This is said to pertain to certain city contracts.

The sessions called before the jury yesterday were Arnold H. MacSweeney, former Street Cleaning Commissioner; William Charlesworth and Joseph Marzoni, contractors, and William H. Sherwood, an insurance adjuster.

William Chivers, one of Mr. Whitman's assistants, spent yesterday examining books and records sent to him by more than twenty Stock Exchange houses of this city. He informed newspaper men last night that he had discovered a number of cases in which rewards of varying amounts had been paid to members of the Police Department for the recovery of stolen bonds and other securities. One instance was found in which a well known surety company had paid a very large reward to two detectives attached to Headquarters.

Dry Enforcement Bills Advanced in Assembly

Passage of Mullan-Gage Measures Expected To-day; Tax Legislation Also Moves On

From a Staff Correspondent

ALBANY, March 8.—The Assembly to-day, by a vote of 75 to 55, advanced the Mullan-Gage bills, providing for state dry enforcement, to final order of passage. The measures probably will come up for passage to-morrow. The Assembly also advanced the Davenport-Judson bill reorganizing the State Tax Commission and placing all the state's revenue collecting agencies under the supervision of the new department. There was no opposition to the advancing of this measure.

Minority Leader Charles D. Donohue attempted to prevent the dry bills from being advanced. He wanted action deferred, he said, so that members might have an opportunity to acquaint themselves with the measures which have undergone considerable amendment since their introduction. The dry enforcement measure in its present form differs closely to the lines of the Volstead act.

The passage of the measures was assured Monday night when the Republican members of the House caucused on the bills. The leaders count on at least eighty-three votes—seven more than the required majority. The only two New York City Assemblymen who will vote for the measure are Frederick A. Wells, of Brooklyn, and George N. Jesse, both Republicans. The other New York City Republicans led by Joseph Steinberg, bolted the caucus.

The dry enforcement bills are still in committee in the Senate. They probably will be reported out to-morrow. It is estimated that there will be at least twenty-eight votes for the measure in the Senate, where no caucus action was taken. The bills carry out some of Governor Miller's pre-election pledges.

Kills His Girl Secretary and Himself in Park

(Continued from page one)

copy of Kipling's poem "The Vampire." There were also several warm expressions of love in his handwriting addressed to a woman.

McCurdy lived at 537 First Avenue, Astoria. It was said that he was extremely punctual in arriving home from his office and that he spent most of his evenings with his family, sometimes taking his daughter to moving pictures. He was an excellent tennis player and was a member of the track team when he attended the University of Pennsylvania. His father was a Pittsburgh clergyman.

His wife, who had been worried because he had not returned home Monday night, was telephoning in an effort to get some news of him when Patrolman Keller called and told her the circumstances of his death.

Mrs. McCurdy faintly upon receipt of this news and suffered several subsequent fainting spells throughout the day.

Mrs. McCurdy said she was acquainted with Miss Snowden through calling for her husband at his office on Saturday afternoon, but she did not know that his friendship for his secretary extended beyond taking her to lunch occasionally.

Surety Officials Shocked

Officials of the American Surety Company and its associates were shocked at the news of the death of Miss Snowden. She had been employed by the company since 1906, with the exception of four years. Miss Snowden began working for the surety company two years ago. S. C. Henstree, executive manager, and McCurdy's immediate superior and a friend of some years' standing, said he had held the highest opinion of McCurdy. He said the personal manager was considered nervous and high strung, but not temperamental.

Medical Examiner Charles Norris, who examined the bodies before they were removed to the Arsenal Station, said he believed that both shots were fired by McCurdy. Miss Snowden's right hand was gloved and tightly clenched, but the left hand, which was bare, but in a position that she could hardly have employed it in discharging a revolver into the right side of her head, even if she were left-handed. It was concluded that McCurdy was in almost the same place as when he shot himself, and that it was the work of one mind.

There were no signs that a struggle had taken place and no evidence that the shooting was not done by McCurdy.

Jury Instructed to Acquit Simpson of Saloon Killing

Justice J. Harry Tiernan, in the County Court, St. George, S. I., late yesterday instructed the jury to bring in a verdict of acquittal in the case of John Simpson, on trial for the killing of Spencer Manly in Simpson's saloon, 3615 Richmond Terrace, Marine's Harbor, S. I., on the night of October 21, 1919, last, according to the instruction was made by Frank H. Innes, counsel for Simpson, as soon as the prosecution rested.

Police Propose National Bureau To Check Crime

Conference Called Here May 2 to 7 to Establish a System of Country-Wide Aid Among Cities

Enright Advocates Plan

Officials From Three States Approve the Project for the Metropolitan Area

Representatives of the police departments of forty cities in New York, New Jersey and Connecticut endorsed Commissioner Richard E. Enright's proposal to establish a central bureau of information for the metropolitan district yesterday and named a committee to put the project into effect.

The committee, which will be headed by Mr. Enright, is composed of five other New York police heads and five each from New Jersey and Connecticut.

It also was decided to hold a national police conference in this city May 2 to May 7, at which the advisability of establishing a similar system for country-wide coordination of police work will be discussed.

Yesterday's conference took place at the Police Club, 145 Riverside Drive, and followed a luncheon to the visiting officials. In the morning they witnessed from City Hall steps the drill and exercises of 650 police rookies, who will be graduated to-morrow night from the school of recruits.

Chicago Chief Present

In addition to the officials from surrounding cities there were present Charles C. Fitzmorris, Chief of Police of Chicago, and Police Commissioner A. J. Hilton-Johnson of Shanghai.

Commissioner Enright, in opening the conference asserted that the system of driving criminals from one city to another is as absurd as if municipal health authorities scattered contagious disease broadcast instead of segregating and quarantining it. He predicted that when his plan is in operation, with police regulations standardized and the department of each city on the alert to keep that of every other informed as to the movements of known criminals and to flash news of the commission of crimes, the metropolitan district will be thoroughly unsafe for violators of the law.

Mayor Hylan expressed approval of the Enright proposal. Chief Fitzmorris said he would take the idea back to Chicago with him. Others who endorsed the project were:

Dr. Simon Endorses Plan

Chief Michael D. Long, Newark; Commissioner Philip C. Calhoun, Bridgeport; Commissioner John O. Devin, Bayonne; Dr. Carelton Simon, Deputy Commissioner in charge of the narcotic division, who said the system of intercity cooperation had worked wonders in his branch of police work; Commissioner Childs, New Rochelle; Chief O'Keefe, Yonkers; Chief Atwell, Mount Vernon; Commissioner Bentley and Chief Battersby, Jersey City; Commissioner Ford, Newark; and Deputy Commissioner Harris, of this city.

On the committee named to plan for the central bureau are Commissioner Enright and Chiefs Brown of Newburgh, McCabe of Poughkeepsie, Atwell of Mount Vernon, Cody of New Rochelle and Burke of Peekskill, for New York. The New Jersey members are Chiefs Kelly of Plainfield, Wallum

of Long Branch, Long of Newark and Tracy of Paterson and Commissioner Bentley of Jersey City. Representing Connecticut are Chiefs Fauth of New Haven, Brennen of Stamford, Farrell of Hartford and Pennington of Norwalk and Superintendent Flanagan of Bridgeport.

Commissioner Enright toward the close called on Chief Inspector William E. Lahey, who is now under indictment and suspension, for his opinion of the plan. The Commissioner praised Lahey highly in introducing him.

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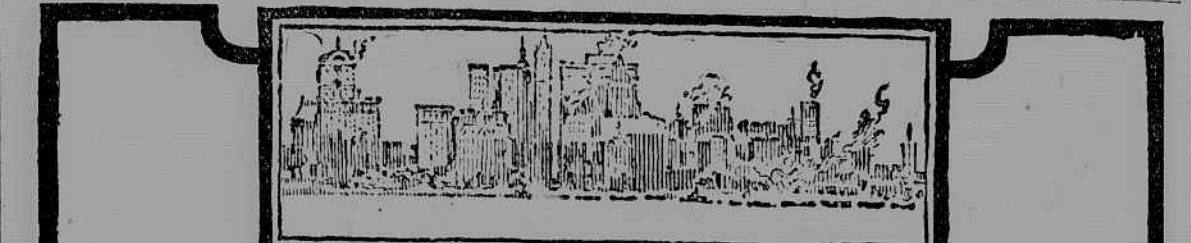
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CHANGE

TIMES change—and a man's will should change with them. Better ways of making bequests are developed and surer means of protecting the inheritance you leave.

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